

# **EXHIBIT 12**

Deposition of  
**Cecil Daniel Verdugo**  
November 19, 2024

Sandra Kirkman  
vs.  
State of California



Sandra Kirkman vs.  
State of California

Cecil Daniel Verdugo

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
3  
4 SANDRA KIRKMAN AND CARLOS )  
5 ALANIZ, INDIVIDUALLY AND AS )  
6 SUCCESSORS-IN-INTEREST TO JOHN )  
7 ALANIZ, DECEASED, )  
8 Plaintiffs, )  
9 vs. ) 2:23-cv-07532  
10 STATE OF CALIFORNIA; RAMON SILVA; ) DMG-SSC  
11 AND DOES 1-10, INCLUSIVE, )  
12 Defendants. )  
13 \_\_\_\_\_)

14 REMOTE DEPOSITION OF CECIL DANIEL VERDUGO, taken on  
15 behalf of Defendants at 1:03 p.m., Tuesday,  
16 November 19th, 2024, before Michael G. McMorran,  
17 Certified Shorthand Reporter No. 13735 of the State of  
18 California, RPR, pursuant to Notice.

19 Job No. 10153335  
20  
21  
22  
23  
24  
25

Cecil Daniel Verdugo

1 A It is first word D-e-l, second word  
2 T-o-r-n-a-s-o-l.

3 Q Thank you. Now, it's my understanding that  
4 you were a witness to an incident that took place on  
5 May 4th of 2022 on the 105 freeway in Paramount,  
6 California; is that correct?

7 A It is.

8 Q Can you walk me through that date and time,  
9 what you were doing?

10 A My son Joseph and I were on our way to where I  
11 used to be employed in Port of L.A. I had just merged  
12 onto the 105 freeway headed west.

13 And as traffic was slowing, and I merged over  
14 to -- I guess probably the third lane. And I must have  
15 been doing 20 miles an hour, something to that effect.  
16 And the truck that I was passing was all but stopped.

17 And there was a commotion going on that I  
18 didn't get the gist of until a gentleman jumped out in  
19 front of me, and I hit . . .

20 Actually, he just didn't casually jump out in  
21 front of me. He charged me, much like a football  
22 player would, I suppose. And he fell, got up and kept  
23 on walking.

24 I, of course, passed it all up and parked.  
25 And maybe a block and a half, maybe more, and other

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1 gentlemen were trying to help him, I guess.

2 In retrospect, I found out they were trying to

3 help him, you know, save him from himself, I guess.

4 Nonetheless, I parked and remained there for the

5 duration.

6 Q Okay. So I want to unpack that a little bit.

7 So you were with your son, Joseph. And that's

8 Joseph Verdugo?

9 A It is.

10 Q Okay. And were you driving?

11 A Yes.

12 Q And Joseph was your passenger?

13 A He was.

14 Q And what kind of car were you driving that  
15 day?

16 A 2016 Chevy Silverado.

17 Q And what color was it?

18 A Silver.

19 (Reporter clarification.)

20 BY MS. REYES:

21 Q Okay. Now, you were on the 105 freeway headed  
22 west, and you merged into the third lane; is that  
23 correct?

24 A Yes.

25 Q And you said you were traveling about 20 miles

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1                   And, again, he charged my truck.

2           **Q      Now, with the commotion, how many people did**  
3           **you see in the lane that you just described?**

4           A      I couldn't guess because I saw the count of  
5           the people that were in that pickup truck. It was a  
6           work pickup truck. There were three -- I believe three  
7           men, gentlemen in there, and then the person in  
8           question.

9           **Q      Okay. And when you saw, you know, the person**  
10          **in question, did he have any visible injuries?**

11          A      Couldn't really tell to tell you honestly.  
12          There was blood on my truck after the fact.

13                 But from what I understand, the truck hit him  
14           at much higher speed. And so, you know, that may have  
15           been, you know, from that impact, not mine. I don't  
16           know.

17          **Q      Okay. Now, after, you know, you saw this**  
18          **commotion going on as you described, you said that the**  
19          **individual in question had charged at your vehicle?**

20          A      Yes.

21          **Q      Can you describe that for me a little bit**  
22          **more?**

23          A      Okay. If you can picture this, you know,  
24          picture the football players as they move, you know,  
25          and he actually made a move if I can -- you can't see

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1 me.

2 He charged me like this. It was a stout guy.

3 And I could imagine he must have played football or

4 something, but that's what it seemed like to me. I'm

5 not a sports guy, but that's what it looked like to me.

6 He broke away from the gentlemen. I couldn't

7 tell you how many of them were trying to hold him or

8 something to that effect, and he ran into my truck.

9 Q And just for the record -- so what you were  
10 describing as a football move was just someone charging  
11 with full force?

12 Was he sprinting?

13 A He moved like that.

14 Q Okay. So he moved forward pretty abruptly; is  
15 that accurate?

16 A Mmm-hmm.

17 Q And did he -- when he charged at your vehicle,  
18 do you recall whether he ducked his head down to charge  
19 as well, or did he just charge it with his -- with the  
20 middle of his body?

21 A He had cowered down because, you know, when I  
22 hit him, I couldn't see him, not all of him anyway.

23 Q Now, you had said that he had broke away from  
24 a gentleman. Do you recall if any of the gentlemen  
25 that were around him prior to him charging at your

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1 truck had any sort of safety vest on?

2 A Actually did. I can remember. It's like --

3 you've probably seen it before -- traffic safety,

4 reflective stripes on it, and they were bright orange.

5 Q Now, what part of your vehicle did the

6 individual hit when he charged your vehicle or charged

7 at your vehicle?

8 A I mean, he broke the grill and dented the

9 hood.

10 Q And --

11 A Very front of it. I'm sorry.

12 Q No, that's okay.

13 What did the individual do after he hit your

14 car?

15 A He -- I couldn't tell you if he fell because,

16 you know, obviously I can't see. The truck is kind of

17 high. The next thing I know, he's up and walking.

18 And I think -- you know, because I did look

19 back. I was just, you know, kind of dazed by it all.

20 As I parked, the other guys that were, you

21 know, involved in it, so to speak, were trying to hold

22 him. But he charged on and walked off and passed me

23 up.

24 I thought, quite frankly, he was going to stop

25 at me. But, no, he passed right up and kept on

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1 walking. And that's all I know.

2 Q Now, after he got hit and you saw him just,  
3 you know, get up and continue to walk, did you see any  
4 visible injuries on him at that time?

5 A No.

6 Q No?

7 A No. I'm sorry. You didn't hear me.

8 Q And what did you do after -- after he had  
9 darted in front of your car?

10 A What happened after?

11 Q Yes. Like, what did you do after that  
12 happened?

13 A My jaw dropped. I'm sorry. I remained there  
14 for seconds. And then thinking that I maybe was the  
15 cause of an accident or whatever that you might think  
16 or an individual, I moved over.

17 Didn't know really what to do. But, again, I  
18 went to the emergency lane there, to the right. You  
19 know, didn't even coast. I was creeping, actually, and  
20 then, again, I stopped.

21 Q Did you try and talk to the individual at all  
22 after you stopped?

23 A Did not.

24 Q Now, after the individual darted and ran into  
25 your vehicle, did you -- can you describe his demeanor

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1 DEPOSITION OFFICER'S CERTIFICATE  
2

3 STATE OF CALIFORNIA )  
4 COUNTY OF ORANGE ) SS.  
5

6 I, Michael McMorran, hereby certify:

7 I am a duly qualified Certified Shorthand  
8 Reporter in the state of California, holder of  
9 Certificate Number CSR 13735 issued by the Court  
10 Reporters Board of California and which is in full  
11 force and effect. (Fed. R. Civ. P. 28(a)).

12 I am authorized to administer oaths or  
13 affirmations pursuant to California Code of Civil  
14 Procedure, Section 2093(b), and prior to being  
15 examined, the witness was first duly sworn by me. (Fed.  
16 R. Civ. P. 28(a), 30(f)(1)).

17 I am not a relative or employee or attorney or  
18 counsel of any of the parties, nor am I a relative or  
19 employee of such attorney or counsel, nor am I  
20 financially interested in this action. (Fed. R. Civ.  
21 P. 28).

22 I am the deposition officer that  
23 stenographically recorded the testimony in the  
24 foregoing deposition and the foregoing transcript is a  
25 / / /

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1 true record of the testimony given by the witness.  
2 (Fed. R. Civ. P. 30(f)(1)).

3 Before completion of the deposition, review of  
4 the transcript [ X ] was [ ] was not requested. If  
5 requested, any changes made by the deponent (and  
6 provided to the reporter) during the period allowed,  
7 are appended hereto. (Fed. R. Civ. P. 30(e)).

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9 Dated: 11/21/2024

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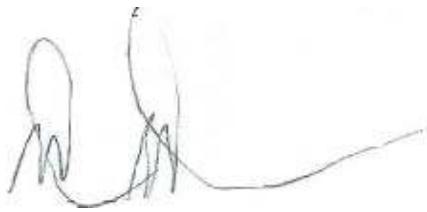
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MICHAEL G. MCMORRIN, CSR No. 13735